

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Connie Baozhen Lin Confirmation No.: 2724
Application No.: 10/735540 Group No.: 1618
Filed: December 12, 2003 Examiner: Jake Minh Vu
For: VANILLIN POLYMERS FOR USE IN DARKENING THE SKIN

Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Disclosure Letter
Patent Term Adjustment Determination
37 CFR 1.705

Upon review of the Notice of Allowance and Fee(s) Due (PTOL-85) mailed March 2, 2011, applicant reviewed the USPTO's PTA calculation of 548 days. In compliance with the practitioner's duty of candor and good faith in practice before the Office, applicant wishes to disclose that the PTA of 548 days calculated by the USPTO may be longer than appropriate.

It appears that the USPTO may have improperly calculated the period of adjustment which should be reduced for the period beginning on the date of abandonment (March 14, 2008) and ending on the date of mailing of the decision reviving the application (March 31, 2009) (Rule 37 CFR 1.704(c)(3)). Applicant believes that there may be an additional 44 days of applicant delay for this abandonment period.

Therefore there may be as many as 559 days of applicant delay to be deducted from the 1063 days of PTO delay for a total Patent Term Adjustment of 504 days, not the 548 days which the PTO has calculated.

Applicant respectfully requests that this letter be placed in the file of the application.

Date: March 28, 2011 /William K. Wissing/
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
Customer No. 000027777
William K. Wissing
Registration No. 34757
732-524-6201

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that, on the date shown below, this correspondence is being transmitted to the USPTO via the electronic filing system in accordance with 37 CFR 1.6(a)(4)

Date: March 28, 2011

/Margaret Turner/
Signature
Margaret Turner, Patent Paralegal
(type or print name of person certifying)